

# ALSTON & BIRD

90 Park Avenue  
New York, NY 10016  
212-210-9400 | Fax: 212-210-9444

Karl Geercken

Direct Dial: 212-210-9471

Email: karl.geercken@alston.com

January 22, 2019

VIA FACSIMILE (212) 805-6382

The Honorable Victor Marrero  
United States District Judge  
United States Courthouse  
500 Pearl Street, Suite 1040  
New York, NY 10007

Re: Coventry Capital v. EEA Life Settlements Inc., No. 17-cv-07417

Dear Judge Marrero:

We represent Defendant EEA Life Settlements, Inc. ("EEA Inc.") in the above referenced matter. We write pursuant to the Court's January 17, 2019 order to inform the Court that, after meeting and conferring with counsel for Plaintiff Coventry Capital US LLC ("Coventry"), a stipulation could not be reached regarding the retention of proceeds from any potential sale of the Portfolio.

As articulated by Your Honor on a conference call with the parties on January 16, 2019, and by counsel for Individual Defendants Vincent Piscaer and Hiren Patel in a letter submitted on January 18, 2019 (Dkt. No. 108), EEA Inc. respectfully submits that Coventry's filing of its Notice of Interlocutory Appeal (Dkt. No. 107) on January 16, 2019 effectively divests this Court of jurisdiction to reconsider Coventry's request for injunctive relief while the appeal is pending.

Should the Court determine that it has jurisdiction over Coventry's reconsideration request of the Court's December 17, 2018 Order (Dkt. No. 100), EEA Inc. respectfully submits that the Court should deny Coventry's request for reconsideration for the reasons set forth in its January 8, 2019 letter (Dkt. No. 105).

Respectfully submitted,

Karl Geercken

cc: Counsel of Record

Alston & Bird LLP

[www.alston.com](http://www.alston.com)

Atlanta | Beijing | Brussels | Charlotte | Dallas | Los Angeles | New York | Raleigh | San Francisco | Silicon Valley | Washington, D.C.

U.S. DISTRICT COURT
MANHATTAN
ELECTRONICALLY FILED
DATE: 1/22/19
DATE FILED: 1/22/19